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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-40697-2019

Date of decision: 03.02.2020

GURMEET SINGH @ GITI

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rajan Singh Dadwal, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab,
for respondent No.1.

Mr. Umesh Kumar Kanwar, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.171 dated 02.09.2017 registered under Section 354-A of IPC at Police Station Hathur, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2019 (Annexure P-2).

This Court vide order dated 23.09.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.11.2019 to the effect that the compromise is genuine and has been effected between the parties without any coercion or pressure from any corner.

Respondent No.2-complainant, namely, Manpreet Kaur has made her statement with regard to compromise before learned Magistrate on 30.10.2019. The same is reproduced as under:-

“Stated that the present case was registered against Gurmeet Singh alias Geeti son of Shamsher Singh, resident of Village Lamme on the basis of my statement. Now I have compromised the matter with the accused with my free will and without any coercion. Quashing petition has also been filed before Hon'ble High Court in this case. I have no objection, if FIR No.171 dated 02.09.2017, under section 354-A of IPC P.S. Hathur, District Ludhiana is quashed by the Hon'ble Punjab and Haryana High Court Chandigarh against the accused.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.171 dated 02.09.2017

registered under Section 354-A of IPC at Police Station Hathur, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 13.09.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

(HARI PAL VERMA)
JUDGE

03.02.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No